

Michael R. Lazerwitz (PRO HAC VICE)
Jeremy J. Calsyn (State Bar No. 205062)
Lee F. Berger (State Bar No. 222756)
CLEARY GOTTlieb STEEN & HAMILTON LLP
2000 Pennsylvania Ave., NW
Washington, DC 20006
(202) 974-1500 (Phone)
(202) 974-1999 (Facsimile)
mlazerwitz@cgsh.com

Counsel for Defendants
LG DISPLAY CO., LTD.
LG DISPLAY AMERICA, INC.

**[Additional moving parties and counsel listed
on signature pages]**

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
(SAN FRANCISCO DIVISION)

IN RE: TFT-LCD (FLAT PANEL)
ANTITRUST LITIGATION

CASE NO. 3:07-md-1827 SI
MDL NO. 1827

This Document Relates to:
Case No. 10-cv-5458 SI

SB LIQUIDATION TRUST,
Plaintiff,

v.

AU OPTRONICS CORPORATION, et al.,

Defendants

**STIPULATION AND ~~[PROPOSED]~~
ORDER WITHDRAWING JOINT
MOTION TO DISMISS AND MOTION
TO COMPEL ARBITRATION AND
EXTENDING TIME TO RESPOND TO
AMENDED COMPLAINT**

1 Plaintiff and Defendants, through the undersigned counsel, request that the Court enter the
2 following order to withdraw: (1) the Defendants' Motion to Dismiss directed to Plaintiff; and (2)
3 Defendants LG Display Co., Ltd.'s and LG Display America, Inc.'s Motion to Compel Arbitration
4 directed to Plaintiff, and extend Defendants' time to respond to the amended complaint that Plaintiff
5 will file on or before June 21, 2011.

6 WHEREAS certain Defendants filed a joint motion to dismiss the Complaint in this action on
7 May 12, 2011 (MDL Dkt #2757), and Defendants LG Display Co., Ltd. and LG Display America,
8 Inc. filed a motion to compel arbitration on May 12, 2011 (MDL Dkt #2761) (the "Motions");

9 WHEREAS the hearing on the Motions was originally scheduled for June 24, 2011;

10
11 WHEREAS Plaintiff, although it opposes the Motions, will exercise its right under Federal
12 Rule of Civil Procedure 15(a) to file a First Amended Complaint in lieu of filing an opposition to the
13 Motions;

14 WHEREAS the parties agree that the briefing dates and hearing associated with the Motions
15 should be withdrawn and that Plaintiff will file its First Amended Complaint after the existing
16 deadline to file its opposition to the Motions;

17 WHEREAS the parties further agree that Defendants may have 30 days to respond to the First
18 Amended Complaint from the date that it is filed, that Plaintiff may have 21 days to oppose or
19 otherwise respond to Defendants' response, and that Defendants may have 14 days to reply to such
20 opposition;

21 THEREFORE, Plaintiff, by its counsel, and Defendants, by the undersigned counsel, stipulate
22 and agree as follows:

- 23
- 24 1. Plaintiff shall file a First Amended Complaint on or before June 21, 2011.
 - 25 2. The Motions shall be withdrawn and the briefing schedule and hearing date stricken.
 - 26 3. Defendants shall have 30 days from the date of the filing of the First Amended
27 Complaint to answer or otherwise respond to the First Amended Complaint.
- 28

1 4. Plaintiff shall have 21 days from the date of the filing of the Defendants' answers or
2 other responses to the First Amended Complaint to oppose or otherwise respond to Defendants'
3 filings.

4 5. Defendants shall have 14 days from the date of the filing of the Plaintiff's responses to
5 submit any replies.

6 6. Plaintiff and Defendants agree that this case shall be considered as filed after
7 December 1, 2010 solely for the purposes of Judge Illston's *Order re: Pretrial and Trial Schedule*,
8 dated November 23, 2010 (MDL Dkt #2165), and for no other purpose.

9 7. Plaintiff and Defendants agree that, should Defendants LG Display Co., Ltd. and LG
10 Display America file a motion to compel arbitration in response to Plaintiff's First Amended
11 Complaint, Plaintiff will not argue that such a motion has been waived due to: (a) the withdrawal of
12 the current motion to compel arbitration (MDL Dkt #2761); or (b) the passage of time between the
13 filing of that motion to compel arbitration and any subsequent motion to compel arbitration filed by
14 Defendants LG Display Co., Ltd. and LG Display America, Inc.
15

16 **IT IS SO STIPULATED.**

17
18 DATED: June 3, 2011

19 By: /s/ Steven G. Sklaver
20 Marc M. Seltzer (54534)
21 Steven G. Sklaver (237612)
22 Ryan C. Kirkpatrick (243824) (application for
admission to be filed)
23 SUSMAN GODFREY LLP
1901 Avenue of the Stars, Suite 950
24 Los Angeles, CA 90067-6029
Telephone: (310) 789-3100
Fax: (310) 789-3150
25 Mseltzer@susmangodfrey.com
ssklaver@susmangodfrey.com
26 rkirkpatrick@susmangodfrey.com
27
28

Allan Diamond (*pro hac vice*)
Jim McCarthy (*pro hac vice*)
Jason Fulton (*pro hac vice*)
DIAMOND McCARTHY LLP
1201 Elm St., 34th Floor
Dallas, Texas 75270
Telephone: (214) 389-5300
Facsimile: (214) 389-5399
adiamond@diamondmccarthy.com
jmccarthy@diamondmccarthy.com
jfulton@diamondmccarthy.com

Attorneys for Plaintiff
SB Liquidation Trust

By: /s/ Michael R. Lazerwitz
Michael R. Lazerwitz (PRO HAC VICE)
Jeremy J. Calsyn (State Bar No. 205062)
Lee F. Berger (State Bar No. 222756)
CLEARY GOTTLIEB STEEN & HAMILTON LLP
2000 Pennsylvania Ave., NW
Washington, DC 20006
(202) 974-1500 (Phone)
(202) 974-1999 (Facsimile)
mlazerwitz@cgsh.com

Attorneys for Defendants
LG Display Co., Ltd., and LG Display America, Inc.

By: /s/ Christopher A. Nedeau
Christopher A. Nedeau
Carl L. Blumenstein
Allison Dibley
NOSSAMAN LLP
50 California Street, 34th Floor
San Francisco, CA 94111
(415) 398-3600 (Phone)
(415) 398-2438 (Facsimile)
cnedeau@nossaman.com

Attorneys for Defendants
AU Optronics Corporation and AU Optronics
Corporation America

By: /s/ Christopher B. Hockett

Christopher B. Hockett (SBN 121539)
Neal A. Potischman (SBN 254862)
Sandra West (SBN 250389)
Samantha H. Knox (SBN 254427)
Micah G. Block (SBN 270712)
DAVIS POLK & WARDWELL LLP
1600 El Camino Real
Menlo Park, California 94025
(650) 752-2000 / (650) 752-2111
chris.hockett@davispolk.com
neal.potischman@davispolk.com
sandra.west@davispolk.com
samantha.knox@davispolk.com
micah.block@davispolk.com

Jonathan D. Martin (admitted *pro hac vice*)
Bradley R. Hansen (admitted *pro hac vice*)
DAVIS POLK & WARDWELL LLP
450 Lexington Avenue
New York, NY 10017
(212) 450-4000 / (212) 701-5800
jonathan.martin@davispolk.com
bradley.hansen@davispolk.com

Attorneys for Defendants

Chimei Innolux Corporation (f/k/a Chi Mei
Optoelectronics Corp.), Chi Mei Optoelectronics
USA, Inc., and CMO Japan Co., Ltd.

By: /s/ Derek F. Foran

Melvin R. Goldman (CA SBN 34097)
Stephen P. Freccero (CA SBN 131093)
Derek F. Foran (CA SBN 224569)
MORRISON & FOERSTER LLP
425 Market Street
San Francisco, CA 94105-2482
(415) 268-7000 (Phone)
(415) 268-7522 (Facsimile)
sfreccero@mofo.com

Attorneys for Defendants

Epson Imaging Devices Corporation and Epson
Electronics America, Inc.

By: /s/ Ramona M. Emerson

Hugh F. Bangasser (*pro hac vice*)
Ramona M. Emerson (*pro hac vice*)
K&L GATES LLP
925 Fourth Avenue, Suite 2900
Seattle, WA 98004-1158
(206) 623-7580 (Phone)
(206) 623-7022 (Facsimile)
Ramona.Emerson@klgates.com

Jeffrey L. Bornstein (State Bar No. 99358)
K&L GATES LLP
Four Embarcadero Center, Suite 1200
San Francisco, CA 94111
(415) 249-1059 (Phone)
(415) 882-8220 (Facsimile)

Counsel for Defendant
HannStar Display Corporation

By: /s/ Kent M. Roger

Kent M. Roger (State Bar No. 95987)
Michelle Kim-Szrom (State Bar No. 252901)
MORGAN LEWIS & BOCKIUS LLP
One Market, Spear Street Tower
San Francisco, CA 94105-1126
(415) 442-1000 (Phone)
(415) 442-1001 (Facsimile)
kroger@morganlewis.com

Attorneys for Defendants
Hitachi, Ltd., Hitachi Displays, Ltd. and Hitachi
Electronic Devices (USA), Inc.

By: /s/ Robert Wick

Robert Wick (*pro hac vice*)
Neil Roman (*pro hac vice*)
Derek Ludwin (*pro hac vice*)
COVINGTON & BURLING LLP
1201 Pennsylvania Ave., NW
Washington, DC 20004
(202) 662-6000 (Phone)
(202) 662-6291 (Facsimile)
rwick@cov.com

Attorneys for Defendants
Samsung Electronics Co., Ltd.,
Samsung Semiconductor, Inc. and
Samsung Electronics America, Inc.

By: /s/ John M. Grenfell

John M. Grenfell (State Bar No. 88500)
Jacob R. Sorensen (State Bar No. 209134)
Fusae Nara (*pro hac vice*)
Andrew D. Lanphere (State Bar No. 191479)
PILLSBURY WINTHROP SHAW PITTMAN LLP
50 Fremont Street
San Francisco, CA 94105
(415) 983-1000 (Phone)
(415) 983-1200 (Facsimile)
john.grenfell@pillsburylaw.com

Attorneys for Defendants
Sharp Corporation
Sharp Electronics Corp

By: /s/ Rachel S. Brass

Joel S. Sanders (SBN 107234)
Rachel S. Brass (SBN 219301)
Rebecca Justice Lazarus (SBN 227330)
GIBSON, DUNN & CRUTCHER LLP
555 Mission Street, Suite 3000
San Francisco, CA 94105
(415) 393-8200 (Phone)
(415) 393-8306 (Facsimile)
rbrass@gibsondunn.com

Counsel for Tatung Company of America

By: /s/ John H. Chung

John H. Chung (*pro hac vice*)
WHITE & CASE LLP
1155 Avenue of the Americas
New York, NY 10036-2787
(212) 819-8200 (Phone)
(212) 354-8113 (Facsimile)
jchung@whitecase.com

Christopher M. Curran (*pro hac vice*)
Kristen J. McAhren (*pro hac vice*)
WHITE & CASE LLP
701 Thirteenth Street, NW
Washington, DC 20005-3807
(202) 626-3600 (Phone)
(202) 639-9355 (Facsimile)
ccurran@whitecase.com
kmcahren@whitecase.com

Attorneys for Defendants
Toshiba Corporation, Toshiba Mobile Display Co.,
Ltd., Toshiba America Electronic Components, Inc.
and Toshiba America Information Systems, Inc.

Attestation: The filer of this document attests that the concurrence of the signatories thereto has been obtained.

Having considered the foregoing stipulation, and good cause appearing,

IT IS SO ORDERED.

6/21/11



Judge Susan Illston